

Pursuant to 37 C.F.R. §1.121(c)(3), please replace claims 43 and 49 with claims 43 and 49 as set forth below. All claims which are appropriately considered with the elected group, whether or not amended, are presented below for the convenience of the Examiner. A marked-up version of the claim showing the changes made follows the remarks section of this response.

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43. (Amended) An isolated polynucleotide fragment comprising:
- (a) a nucleotide sequence having nucleotides 5620 to 7590 of SEQ ID NO: 3;
- (b) a nucleotide sequence which has at least 95% sequence identity over its entire length to the sequence set forth in (a); or
- (c) a nucleotide sequence which is complementary to a nucleotide sequence set forth in (a) or (b);
- and wherein (a), (b) or (c) encodes an ENV polypeptide.
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46. (Canceled) An isolated polynucleotide fragment of claim 43, wherein the polynucleotide fragment encodes for an envelope polypeptide (ENV).

48. (Reiterated) An isolated polynucleotide fragment encoding for a polypeptide comprising the amino acid sequence set forth in SEQ ID NO: 6 or 10.

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49. (Amended) An isolated polynucleotide fragment comprising a nucleotide sequence having nucleotides 5620 to 7590 of SEQ ID NO: 3, or a nucleotide sequence which is complementary thereto.
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51. (Reiterated) A recombinant nucleic acid molecule comprising a polynucleotide fragment according to claim 43.

52. (Reiterated) A recombinant nucleic acid molecule according to claim 51 wherein the recombinant nucleic acid molecule comprises regulatory control sequences operably linked to said polynucleotide fragment for controlling expression of said polynucleotide fragment.

53. (Reiterated) A vector comprising a polynucleotide fragment according to claim 43.

54. (Reiterated) A vector according to claim 53, which is a virus or a plasmid.

55. (Reiterated) A prokaryotic or eukaryotic host cell comprising a polynucleotide fragment according to claim 43.

56. (Reiterated) An oligonucleotide comprising at least 30 nucleotides which are fully complementary to a sequence set forth in claim 49.

57. (Reiterated) An oligonucleotide having the nucleotide sequence set forth in SEQ ID NO: 7, 8, 11, 12, 13 or 14.

58. (Reiterated) A PoEV detection kit comprising at least one oligonucleotide according to claim 56 or 57.

59. (Reiterated) A method for detecting PoEV in a nucleic acid containing sample comprising:

- (a) contacting the sample with at least one oligonucleotide of claim 56 under hybridization conditions; and
  - (b) detecting hybridization of the oligonucleotide to the nucleic acid in the sample;
- wherein detection of hybridization indicates that the sample contains PoEV.

60. (Reiterated) The method of claim 58, wherein the oligonucleotide contains a label.
61. (Reiterated) The method of claim 59, wherein the label is a radioactive, chemiluminescent or fluorescent label.
62. (Reiterated) A pair of oligonucleotide primers for use in PCR amplification wherein each primer comprises at least 10 nucleotides complementary to a sequence to a sequence having nucleotides 5620 to 7590 of SEQ ID NO: 3, or a sequence complementary to a sequence having nucleotides 5620 to 7590 of SEQ ID NO: 3.
63. (Reiterated) A pair of oligonucleotide primers selected from the group consisting of SEQ ID NOs: 7 and 8, SEQ ID NOs: 11 and 12, and SEQ ID NOs: 13 and 14.
64. (Reiterated) A method for detecting PoEV in a nucleic acid containing sample comprising:
- (a) contacting the sample with a pair of oligonucleotide primers as set forth in claim 62 or 63 under hybridization conditions;
  - (b) amplifying a nucleotide sequence between the two oligonucleotide primers; and
  - (c) detecting the presence of the amplified sequence;
- wherein detection of the amplified sequence indicates that the sample contains PoEV.

#### REMARKS

Claims 43, 46, 48, 49, 51 – 65 are pending in the application. Claim 65 has been withdrawn from consideration, claim 48 has been allowed, and claims 43 and 49 have been